

INDICTMENT

INDICTMENT

Counts 1-20

The Grand Jury charges:

BACKGROUND

At times material to the Indictment:

1. Defendant PENINATAUTELE FIAMATE was married to L.F., and resided at Palolo Homes located in Honolulu, Hawaii.
2. L.F. was employed and earned income for the years 1990 through 1999.
3. PENINATAUTELE FIAMATE applied for and received assistance from the State of Hawaii from July, 1990 through September, 1999. Specifically, PENINATAUTELE FIAMATE received aid to families with dependent children, food stamps, medical insurance, and reduced rent at Palolo Homes.

THE SCHEME TO DEFRAUD

4. From approximately July, 1990 and continuing until approximately September, 1999, in the District of Hawaii, defendant PENINATAUTELE FIAMATE knowingly devised and intended to devise a scheme and artifice to defraud and obtain money from the State of Hawaii, in an approximate amount of \$342,300, by falsely claiming that she was the sole adult residing in the household, by failing to identify L.F. as a resident of the household, and by understating the total household income, whereas PENINATAUTELE FIAMATE well knew that she and L.F. were living together in the household and that she was falsely reporting the total household

income that, if correctly reported, would have greatly reduced the amount of financial assistance to which she was entitled.

PURPOSE OF THE SCHEME TO DEFRAUD

5. It was the purpose of the scheme to defraud for PENINATAUTELE FIAMATE to obtain financial assistance from the State of Hawaii to which she was not entitled.

MISREPRESENTATIONS AND OMISSIONS

6. It was part of the scheme and artifice to defraud that PENINATAUTELE FIAMATE falsely named herself as the only adult household member living at her residence and failed to list L.F. as a member of the household on yearly applications for financial assistance, food stamps, and medical assistance submitted to the State of Hawaii.

7. It was part of the scheme and artifice to defraud that PENINATAUTELE FIAMATE failed to list L.F.'s wages as income on yearly applications for financial assistance, food stamps, and medical assistance submitted to the State of Hawaii.

8. It was part of the scheme and artifice to defraud that PENINATAUTELE FIAMATE submitted false Monthly Eligibility Report Forms to the State of Hawaii.

9. It was part of the scheme and artifice to defraud that PENINATAUTELE FIAMATE falsely named herself as the only adult household member living at her residence and failed to list L.F. as a member of the household on yearly applications for establishing income eligibility for housing assistance to the State of Hawaii.

10. It was part of the scheme and artifice to defraud that PENINATAUTELE FIAMATE failed to list L.F.'s wages as income on yearly applications for establishing income eligibility for housing assistance to the State of Hawaii.

OBTAINING STATE FUNDS

11. It was further part of the scheme and artifice to defraud that between July, 1990 and September, 1999, PENINATAUTELE FIAMATE, as a result of her misrepresentations and omissions, received overpayments from the State of Hawaii as follows: aid to families with dependent children in an approximate amount of \$118,700, food stamps in an approximate amount of \$72,100, medical benefits in an approximate amount of \$59,100, and reduced rent at Palolo Homes in an approximate amount of \$92,400.

MAILINGS

12. On or about the dates stated, and in order to execute and attempt to execute the scheme to defraud, PENINATAUTELE FIAMATE knowingly caused to be delivered by the United States Postal Service, according to the directions thereon, the following mailings, with each mailing constituting a separate count of this Indictment:

<u>Count</u>	<u>Date</u>	<u>Addressee</u>	<u>Items Mailed</u>
1	5/15/96	Defendant PENINATAUTELE FIAMATE	application for financial and food stamp assistance
2	5/16/97	Defendant PENINATAUTELE FIAMATE	application for financial and food stamp assistance

3	4/15/98	Defendant PENINATAUTELE FIAMATE	application for financial and food stamp assistance
4	4/15/99	Defendant PENINATAUTELE FIAMATE	application for financial and food stamp assistance
5	4/23/96	Defendant PENINATAUTELE FIAMATE	notice of eligibility to remain in project and rent adjustment
6	5/5/97	Defendant PENINATAUTELE FIAMATE	notice of eligibility to remain in project and rent adjustment
7	4/20/98	Defendant PENINATAUTELE FIAMATE	notice of eligibility to remain in project and rent adjustment
8	4/16/99	Defendant PENINATAUTELE FIAMATE	notice of eligibility to remain in project and rent adjustment
9	1/02/96	Defendant PENINATAUTELE FIAMATE	AFDC check in sum of \$1,300
10	7/01/96	Defendant PENINATAUTELE FIAMATE	AFDC check in sum of \$1,300
11	1/02/97	Defendant PENINATAUTELE FIAMATE	AFDC check in sum of \$1,300
12	7/01/97	Defendant PENINATAUTELE FIAMATE	AFDC check in sum of \$1,446
13	1/02/98	Defendant PENINATAUTELE FIAMATE	AFDC check in sum of \$1,157
14	7/01/98	Defendant PENINATAUTELE FIAMATE	AFDC check in sum of \$1,157

15	1/03/96	Defendant PENINATAUTELE FIAMATE	food stamp authorization in sum of \$710
16	7/03/96	Defendant PENINATAUTELE FIAMATE	food stamp authorization in sum of \$710
17	1/03/97	Defendant PENINATAUTELE FIAMATE	food stamp authorization in sum of \$710
18	7/03/97	Defendant PENINATAUTELE FIAMATE	food stamp authorization in sum of \$815
19	1/03/98	Defendant PENINATAUTELE FIAMATE	food stamp authorization in sum of \$892
20	7/03/98	Defendant PENINATAUTELE FIAMATE	food stamp authorization in sum of \$892

All in violation of Title 18, United States Code,
Section 1341.

Count 21

The Grand Jury further charges:

From on or about July, 1995 until on or about
September, 1999, in the District of Hawaii, defendant
PENINATAUTELE FIAMATE knowingly acquired and possessed food stamp
coupons, authorization cards, or access devices of a value of
\$5,000 or more, in a manner contrary to law, knowing that such
acquisition and possession was contrary to law.

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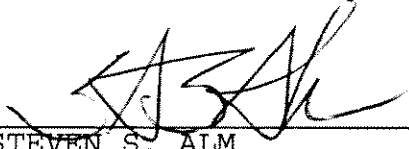
All in violation of Title 7, United States Code,
Section 2024(b).


DATED: June 8, 2000, at Honolulu, Hawaii.

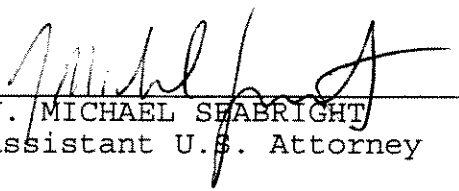
A TRUE BILL

15/

FOREPERSON, GRAND JURY


STEVEN S. ALM
United States Attorney
District of Hawaii


ELLIOT ENOKI
First Assistant U.S. Attorney


J. MICHAEL SEABRIGHT
Assistant U.S. Attorney

USA v. PENINATAUTELE FIAMATE
Cr. No. _____
"Indictment"